

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Kevin Lee McDaniel

Case Number: 0980 2:98CR00035-FVS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: September 22, 1998

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 924(e)

Original Sentence: Prison 180 months;
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: AUSA

Date Supervision Commenced: July 19, 2011

Defense Attorney: Federal Defender's Office

Date Supervision Expires: July 18, 2016

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** Kevin McDaniel violated the conditions of his supervised release in Spokane, Washington, on June 5, 2014, by receiving a citation for operating a motorcycle without a valid registration/tags and speeding. On June 10, 2014, the undersigned officer observed the offender operating a motorcycle without proper tags displayed as required by law. At that time, the offender was directed to cease and desist use of the motorcycle until he complies with the law.

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| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--|
| 2 | <p><u>Special Condition # 14:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> Kevin McDaniel violated the conditions of his supervised release in Spokane, Washington, on or about May 22, 2014, by testing positive for methamphetamine and marijuana. The offender also tested positive for marijuana on June 6, and (presumptive) positive on June 19, 2014. Mr. McDaniel admitted use of marijuana prior to urine testing on May 22, and June 6, 2014. The offender denied use of methamphetamine on May 22, and marijuana on June 19, 2014. Consequently, the specimen collected on June 19, 2014, was sent to the laboratory for confirmation.</p> |
| 3 | <p><u>Special Condition # 14:</u> The defendant shall be subjected to continued substance abuse testing and treatment as directed by the probation officer.</p> <p><u>Supporting Evidence:</u> Kevin McDaniel violated the conditions of his supervised release in Spokane, Washington, by failing to appear for urine testing on June 4, 2014.</p> |
| 4 | <p><u>Special Condition # 14:</u> The defendant shall be subjected to continued substance abuse testing and treatment as directed by the probation officer.</p> <p><u>Supporting Evidence:</u> Kevin McDaniel violated the conditions of his supervised release in Spokane, Washington, by failing to appear for substance abuse counseling on June 3, 5, 16, and 17, 2014. It is noted that the offender appeared for counseling for one hour on June 16 and failed to reappear later to fulfill his obligation.</p> |

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/20/2014

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

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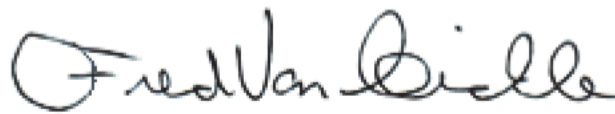
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

6/23/14

Date